

Message Text

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ACTION IO-13

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TO SECSTATE WASHDC PRIORITY 3484

UNCLAS SECTION 01 OF 02 GENEVA 8921

E.O. 11652: N/A

TAGS: ELAB, ILO

SUBJECT: ILO RESEARCH IN COLLECTIVE BARGAINING AREA

PASS LABOR FOR SEGALL AND LINSENMAYER

REF: (A) STATE 263 (B) TMCB/76/I, II, D.6

1. REPLY OF ILO SECRETARIAT (CORDOBA) TO QUESTIONS
POSED IN REF A FOLLOW IN PARA TWO BELOW. REF B CONSISTS
OF THREE DOCUMENTS FOR THE TRIPARTITE ADVISORY MEETING
ON COLLECTIVE BARGAINING, WHICH WAS HELD IN GENEVA
MAY 10-19, 1976. THE USDEL AT THAT MEETING WAS JAMES
SCEARCE, DIRECTOR OF THE FEDERAL MEDIATION AND
CONCILIATION SERVICE.

2. TEXT OF OPERATIVE PARTS OF CORDOBA LETTER FOLLOW:

BEGIN TEXT:

SINCE YOUR REQUEST IS LIMITED TO WORK "BEING DONE OR RECENTLY
COMPLETED", I SHALL REFER ONLY TO THE ILO ACTIVITIES CARRIED OUT
IN THE FIELDS CONCERNED DURING THE LAST THREE YEARS OR PROGRAMMED
FOR THE CURRENT BIENNIUM (1976/77) AND THE NEXT ONE 1978/79.

I SHOULD FIRST LIKE TO DRAW YOUR ATTENTION TO THE FACT THAT
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MOST OF THE QUESTIONS RAISED IN YOUR LETTER WERE DISCUSSED AT THE

TRIPARTITE ADVISORY MEETING ON COLLECTIVE BARGAINING HELD IN GENEVA IN MAY OF THIS YEAR. COPIES OF THE BACKGROUND PAPER PREPARED BY THE OFFICE FOR THIS MEETING AND THE FINAL REPORT ADOPTED ARE ATTACHED FOR EASY REFERENCE. THE FINAL REPORT WILL NOW BE SUBMITTED TO THE FORTHCOMING SESSION OF THE GOVERNING BODY AND WE HOPE THAT ITS GENERAL TENOR WILL BE ENDORSED AS A GUIDELINE FOR FUTURE ILO ACTION IN THE FIELD OF COLLECTIVE BARGAINING. TWO MEETINGS ARE ALREADY FORESEEN FOR NEXT YEAR AS A FOLLOW-UP TO THE TRIPARTITE ADVISORY MEETING: ONE IS THE SYMPOSIUM ON COLLECTIVE BARGAINING IN INDUSTRIALISED COUNTRIES TO BE HELD IN VIENNA IN THE SECOND HALF OF 1977 AND THE OTHER IS THE LATIN AMERICAN SYMPOSIUM ON COLLECTIVE BARGAINING AND DISPUTE SETTLEMENT PROCEDURES. THESE MEETINGS WOULD ALLOW FOR A MORE SPECIFIC AND INDEPTH EXAMINATION OF THE VARIOUS QUESTIONS CONTAINED IN YOUR LETTER WITHIN THE FRAMEWORK OF INDUSTRIALISED AND DEVELOPING COUNTRIES. THEY WILL BE FOLLOWED BY A SERIES OF REGIONAL MEETINGS DESIGNED TO PROMOTE COLLECTIVE BARGAINING IN DEVELOPING COUNTRIES. FOR INSTANCE, THE PROGRAMME AND BUDGET PROPOSALS FOR THE 1978/79 BIENNIUM ALREADY MAKE PROVISION FOR THE HOLDING OF A MEETING OF THIS KIND IN AFRICA.

AS REGARDS RESEARCH STUDIES IT WOULD SEEM TO ME THAT THE ACTIVITIES MENTIONED IN YOUR LETTER CAN MOST APPROPRIATELY BE GROUPED UNDER THE FOLLOWING HEADINGS AND SUB-HEADINGS.

COLLECTIVE BARGAINING. THE ONLY GENERAL STUDY ON COLLECTIVE BARGAINING (INCLUDING SUCH MATTERS AS THE INSTITUTIONAL AND PROCEDURAL FRAMEWORK, THE STRUCTURE AND SCOPE OF COLLECTIVE BARGAINING, AND THE ROLE OF THE STATE IN COLLECTIVE BARGAINING) WHICH CAN BE CONSIDERED AS WORLDWIDE IN NATURE IS THE BACKGROUND PAPER PREPARED FOR THE ABOVE-MENTIONED TRIPARTITE ADVISORY MEETING ON COLLECTIVE BARGAINING.

IN ADDITION TO THIS PAPER, VARIOUS STUDIES HAVE BEEN CARRIED OUT WITH REGARD TO SPECIFIC GEOGRAPHICAL AREAS. FOR INSTANCE, IN 1973 THE ILO PUBLISHED A STUDY ON COLLECTIVE BARGAINING IN INDUSTRIALISED MARKET ECONOMIES (STUDIES AND REPORTS, NEW SERIES, NO. 80). THIS BOOK CONTAINS A COMPARATIVE STUDY AND TEN NATIONAL MONOGRAPHS. A SIMILAR COMPARATIVE STUDY CONCERNING METHODS AND PRACTICES OF COLLECTIVE BARGAINING IN UNCLASSIFIED

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DEVELOPING COUNTRIES IS NOW NEAR COMPLETION.

THE ARTICLE BY MR. J. SCHREGLE ON "LABOUR RELATIONS IN WESTERN EUROPE: SOME TOPICAL ISSUES", PUBLISHED IN THE INTERNATIONAL LABOUR REVIEW, JANUARY 1974, CONTAINS SEVERAL REFERENCES TO RECENT BARGAINING TRENDS AND PRACTICES.

IT SHOULD BE NOTED THAT THE BACKGROUND PAPER TO BE PREPARED

FOR THE "SYMPOSIUM ON COLLECTIVE BARGAINING ON INDUSTRIALISED COUNTRIES" WILL ALSO DISCUSS CURRENT PROBLEMS REGARDING THE STRUCTURE AND LEGAL FRAMEWORK OF NEGOTIATIONS AND THE CONTENTS OF AGREEMENTS.

OTHER STUDIES ON COLLECTIVE BARGAINING HAVE BEEN LIMITED TO SPECIFIC SECTORS OF ACTIVITY. THIS IS THE CASE, FOR EXAMPLE, OF THE REPORT ON FREEDOM OF ASSOCIATION AND PROCEDURES FOR DETERMINING CONDITIONS OF EMPLOYMENT IN THE PUBLIC SERVICE (GENEVA, 1976) AND THE REPORT ON COLLECTIVE BARGAINING PROBLEMS AND PRACTICES ON PLANTATIONS AND THE EXERCISE OF TRADE UNION RIGHTS (GENEVA, 1976).

AS REGARDS THE PUBLIC SECTOR OF THE ECONOMY, I.E. THE LABOUR RELATIONS IN INDUSTRIAL AND COMMERCIAL UNDERTAKINGS OWNED BY THE STATE, YOUR ATTENTION IS DRAWN TO AN ARTICLE BY MR. J. SCHREGLE ON "LABOUR RELATIONS IN THE PUBLIC SECTOR" PUBLISHED IN THE INTERNATIONAL LABOUR REVIEW, NOVEMBER 1974.

ALSO REFERRING TO A SPECIFIC INDUSTRY IS THE ARTICLE BY H.Z. EVANS (ILO) ON "COMPARING CONDITIONS OF WORK BY COLLECTIVE AGREEMENT ANALYSIS: A CASE STUDY OF THE PETROLEUM INDUSTRY", PUBLISHED IN THE INTERNATIONAL LABOUR REVIEW, JULY 1973.

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A SPECIAL REFERENCE SHOULD BE MADE TO THE AREA OF MULTINATIONAL ENTERPRISES. A CHAPTER ON INDUSTRIAL RELATIONS IN A MULTINATIONAL FRAMEWORK WAS INCLUDED IN THE 1973 PUBLICATION "MULTINATIONAL

ENTERPRISES AND SOCIAL POLICY". THIS CHAPTER WAS FOLLOWED BY A STUDY ON "MULTINATIONALS IN WESTERN EUROPE: THE INDUSTRIAL RELATIONS EXPERIENCE, PUBLISHED IN 1976.

MOREOVER, TWO ARTICLES ON INDUSTRIAL RELATIONS IN MULTINATIONAL ENTERPRISES ARE DUE TO APPEAR IN THE INTERNATIONAL LABOUR REVIEW WITHIN THE NEXT FEW MONTHS. THE FIRST ARTICLE, BY MR. A. PANKERT (ILO), WILL DEAL WITH LEGAL PROBLEMS RELATED TO COLLECTIVE BARGAINING AND SOLIDARITY ACTION IN MULTINATIONAL ENTERPRISES. THE SECOND ONE, BY MR. E. KASSALOW (THEN AT THE ILO) WILL DISCUSS THE INDUSTRIAL RELATIONS EXPERIENCE OF MULTINATIONALS IN ASIA.

AS TO THE AREA OF SPECIFIC QUESTIONS RELATING TO COLLECTIVE BARGAINING, MENTION SHOULD BE MADE OF THE ARTICLE ON "TRADE UNION RECOGNITION FOR COLLECTIVE BARGAINING PURPOSES" BY A. GLADSTONE (ILO) AND M. OZAKI (ILO) PUBLISHED IN THE INTERNATIONAL LABOUR REVIEW, AUGUST/SEPTEMBER 1975 AND TO A FORTHCOMING ARTICLE ON INCOMES POLICY AND INDUSTRIAL RELATIONS BY H. SUZUKI (ILO).

FOR THE NEXT BIENNIUM PROPOSALS HAVE BEEN MADE FOR A MAJOR STUDY ON SELECTED PROBLEM AREAS IN COLLECTIVE BARGAINING, INCLUDING SUCH QUESTIONS AS RATIFICATION OF AGREEMENTS, SCOPE OF THE PEACE OBLIGATION, BALANCE OF POWER BETWEEN NATIONAL AND

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LOCAL UNIONS AND CO-ORDINATION BETWEEN VARIOUS BARGAINING LEVELS.

HOWEVER NO RESEARCH PROPOSAL HAS BEEN MADE WITH RESPECT TO OBJECTIVE DATA NEEDS FOR SUCCESSFUL COLLECTIVE BARGAINING. THIS WOULD REFER TO SUCH STATISTICS AS CONSUMER PRICE INDICES, WAGES, EARNINGS, LABOUR COSTS, PRODUCTIVITY, LEVEL OF EMPLOYMENT, ETC., ALL OF WHICH VARY SIGNIFICANTLY FROM COUNTRY TO COUNTRY AND IN ACCORDANCE WITH THE SCOPE AND LEVEL OF BARGAINING. PARAGRAPH 72 OF THE FINAL REPORT OF THE TRIPARTITE ADVISORY MEETING ON COLLECTIVE BARGAINING REFERS TO THE QUESTION AND THE STATISTICS BRANCH OF THE ILO STANDS READY TO PROVIDE ASSISTANCE TO SPECIFIC COUNTRIES REQUESTING TECHNICAL COOPERATION THEREON.

SETTLEMENT OF LABOUR DISPUTES. APART FROM THE REFERENCE TO THIS QUESTION CONTAINED IN SOME OF THE PUBLICATIONS LISTED ABOVE, TWO IMPORTANT STUDIES SHOULD BE SPECIFICALLY IDENTIFIED IN THIS CONNECTION. ONE IS THE STUDY ON CONCILIATION AND ARBITRATION OF LABOUR DISPUTES ENTRUSTED TO AN EXTERNAL COLLABORATOR (MR. E. DAYA), WHICH IS NEAR COMPLETION. THE OTHER IS A STUDY ON DISPUTES SETTLEMENT PROCEDURES IN ESSENTIAL SERVICES, FOR WHICH APPROPRIATE PROVISION IS MADE IN THE NEXT BIENNIUM.

AS REGARDS COMPARATIVE STUDIES ON THE NATURE OF STRIKES YOUR ATTENTION IS DRAWN TO CHAPTER V OF THE REPORT ON THE PUBLIC SERVICE AND THE LAST SECTION OF CHAPTER IV OF THE REPORT ON

PLANTATWNS. A FEW ARTICLES BY EXTERNAL COLLABORATORS HAVE ALSO BEEN PUBLISHED IN THE INTERNATIONAL LABOUR REVIEW BUT NO GENERAL COMPARATIVE STUDY HAS BEEN UNDERTAKEN ON THIS SUBJECT DURING THE PERIOD UNDER REVIEW.

TRAINING MATERIAL. AS TO TRAINING MATERIAL IN THE FIELD OF COLLECTIVE BARGAINING AND SETTLEMENT OF LABOUR DISPUTES THE FOLLOWING TWO MANUALS ARE NOTEWORTH: CONCILIATION IN INDUSTRIAL DISPUTES: A PRACTICAL GUIDE, PUBLISHED IN 1973 AND GRIEVANCE ARBITRATION: A PRACTICAL GUIDE, PRESENTLY AT THE PRINTING STAGE.

IT SHOULD FINALLY BE ADDED THAT THE PREPARATION OF TRAINING MATERIAL ON COLLECTIVE BARGAINING, CONCILIATION OR ARBITRATION IS ALSO PROVIDED FOR THE NEXT BIENNIUM. FOR INSTANCE, THE WORKERS' EDUCATION BRANCH, IN COLLABORATION WITH THIS BRANCH, UNCLASSIFIED

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IS ENVISAGING A REVISION OF THE MANUAL ON COLLECTIVE BARGAINING ORIGINALLY PUBLISHED IN 1960 AND WHICH HAS BEEN FOR SEVERAL YEARS AN ILO BESTSELLER. END TEXTABRAMS

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